



Atty. Dkt. No. 039153-0693 (H1718)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Xiang et al.
Title: SHALLOW TRENCH
ISOLATION PROCESS
AND STRUCTURE
WITH MINIMIZED
STRAINED SILICON
CONSUMPTION

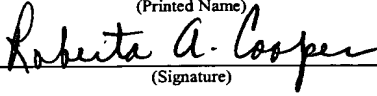
Appl. No.: 10/755,602

Filing Date: 01/12/2004

Examiner: Jack Chen

Art Unit: 2813

Confirmation No.: 9549

CERTIFICATE OF EXPRESS MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
EV 904367259 US	08/04/06
(Express Mail Label Number)	(Date of Deposit)
Roberta A. Cooper	
(Printed Name)	
	
(Signature)	

PETITION UNDER 37 C.F.R. 1.47(a)

Mail Stop PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby petition the Commissioner under 37 C.F.R. § 1.47(a) and 35 U.S.C. § 116 to treat the above-identified patent application as being made by inventors James N. Pan and Jung-Suk Goo on behalf of non-signing inventor Qi Xiang.

Inventor Qi Xiang was employed by Advanced Micro Devices, Inc. at the time of the filing of the present application. Mr. Xiang executed the Declaration and Power of Attorney form that accompanied this application, and has assigned his rights in the invention to Advanced Micro Devices, Inc., as indicated by an Assignment document recorded in the records of the U.S. Patent and Trademark Office at Reel/Frame 014896/0990.

Inventor Xiang has since left the employment of Advanced Micro Devices, Inc., and attempts to reach him by the undersigned attorney have been unsuccessful.

A Statement of Facts signed by the undersigned attorney in support of this petition is provided herewith, and includes the last known home and business addresses for inventor Xiang.

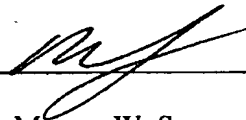
A check in the amount of \$130.00 is provided herewith in payment of the petition fee pursuant to 37 C.F.R. § 1.17(h).

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

Respectfully submitted,

Date 8/4/06

FOLEY & LARDNER LLP
Customer Number: 34083
Telephone: (313) 234-7150
Facsimile: (313) 234-2800

By 
Marcus W. Sprow
Attorney for Applicants
Registration No. 48,580



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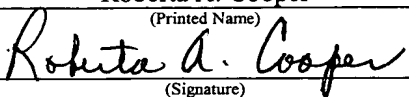
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Roberta A. Cooper	
(Printed Name)	
	
(Signature)	

STATEMENT OF FACTS IN SUPPORT OF PETITION UNDER 37 C.F.R. § 1.47(a)

Mail Stop: PETITIONS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I am the Practitioner in this case and make the following statements:

1. The present application was filed on January 12, 2004.
2. Inventor Qi Xiang (along with his co-inventors James N. Pan and Jung-Suk Goo executed a Declaration and Power of Attorney form that was filed in the present application.
3. Inventor Xiang has assigned his rights in the present application to Advanced Micro Devices, Inc., as indicated by an Assignment document recorded in the records of the U.S. Patent and Trademark Office at Reel/Frame 014896/0990
4. Inventor Xiang at the time of the invention was employed by Advanced Micro Devices, Inc.
5. A Declaration under 37 C.F.R. § 1.131 ("the Rule 131 Declaration") was prepared to overcome certain rejections presented by the Examiner in the present application.

6. The Rule 131 Declaration was sent by e-mail to all three named inventors in the present application. The Rule 131 Declaration was subsequently signed by inventors Jung-Suk Goo and James N. Pan.
7. The undersigned attorney was informed on July 3, 2006 by inventor Jung-Suk Goo that inventor Xiang was no longer employed by Advanced Micro Devices, Inc..
8. The last known home address for inventor Xiang is 1119 Thames Drive, San Jose, California 95129.
9. The Rule 131 Declaration was sent to inventor Xiang on July 10, 2006 via Certified U.S. Mail at his last known address listed above. A copy of the letter accompanying the Rule 131 Declaration is provided herewith.
10. The Rule 131 Declaration was delivered to inventor Xiang as evidenced by the enclosed copy of the Certified Mail return postcard, which was signed by inventor Xiang.
11. No response has been received from inventor Xiang regarding the Rule 131 Declaration.
12. Based on the lack of response of inventor Xiang regarding the Rule 131 Declaration, the Applicants petition the Commissioner under 37 C.F.R. § 1.47(a) and 35 U.S.C. § 116 to treat the above-identified patent application as being made by inventors James N. Pan and Jung-Suk Goo on behalf of non-signing inventor Qi Xiang
13. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and made with the knowledge that willful, false statements are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Respectfully submitted,

Date 8/4/06

By 

FOLEY & LARDNER LLP
Customer Number: 34083
Telephone: (313) 234-7150
Facsimile: (313) 234-2800

Marcus W. Sprow
Attorney for Applicants
Registration No. 48,580